

**FLOOD CONTROL ADVISORY BOARD  
MINUTES  
February 23, 2005**

Kent Cooper, Chairman called the meeting of the Flood Control Advisory Board (FCAB) to order at 2:00 p.m. on Wednesday, February 23, 2005.

**Board Members Present:** Kent Cooper, Chairman; Paul Cherrington, Ex Officio; Hemant Patel, Ray Acuna, Ex Officio:

**Board Members Absent:** Melvin Martin; DeWayne Justice, Secretary; Scott Ward, Vice-Chairman

**Staff Members Present:** Tim Phillips, Acting Chief Engineer & General Manager; Kevin Costello, County Attorney (sitting in for Julie Lemmon, General Counsel); Dick Perreault, CIP/Policy Manager; Russ Miracle, Division Manager, Planning and Project Management; Linda Reinbold, Administrative Coordinator; Don Rerick, Project Management Branch Manager; Amir Motamedi, Acting Regulatory Division Manager; Doug McLaughlin, Right-of-Way Agent; Brett Howey, Dam Safety Engineer; John Hathaway, Planning Manager; Mike Wilson, Public Works Lands Division Manager; Afshin Ahouraiyan, Project Manager; and BJ Johnston, Clerk of the Flood Control Advisory Board.

**Guests Present:** Tami Norton, DEA; Brian Fry, Dibble & Associates; Hasan Mushtaq, City of Phoenix; Jeannette Fish, MCFB; Tony Bokich, Aztec Engineering; Steve Beasley, ADOT; Carlos Avila, City of Phoenix; Chuck Williams, C.L. Williams Construction; William Doyle, Bureau of Reclamation; Lonnie Frost, Town of Gilbert; David Jensen, Kimley-Horn; Jeff Despain, J.E. Fuller; Mike Ziegler, City of Phoenix.

1) APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 26, 2005.

ACTION: It was moved by Mr. Cherrington and seconded by Mr. Acuna to approve the minutes as submitted. The motion carried unanimously.

2) SCATTER WASH BASIN IMPROVEMENT PROJECT; RESOLUTION FCD2004R012

Don Rerick, Project Management Branch Manager presented Resolution FCD2004R012 for developing and negotiating Intergovernmental Agreements to identify the District's role and responsibilities for cost sharing in the Scatter Wash Basin Improvement Project.

*Patel:* Did the DCR identify the form of the improvement? Is it going to be a concrete channel?

*Rerick:* It hasn't yet. In fact, one of the action items that we, ADOT and the City of Phoenix have before us is to select a consultant and do some field reconnaissance ADOT is in the process of doing that. Obviously, kinder

and gentler is the expectation. In the graphic it is difficult to see, but you will notice that this area is residential and there is vacant land that will be developed in the near future. So the expectation, to be consistent with downstream improvements is kinder and gentler. The sides may be gabions or something of that nature.

**ACTION:** It was moved by Mr. Patel and seconded by Mr. Acuna to approve the staff recommendations as submitted. The motion carried unanimously.

3) **QUEEN CREEK WASH CHANNEL (RECKER ROAD TO HIGLEY ROAD) IMPROVEMENTS PROJECT; RESOLUTION FCD2004R014**

Resolution FCD2004R014, for developing and negotiating Intergovernmental Agreements to identify the District's role and responsibilities for cost sharing in the Queen Creek Wash Channel (Recker Road to Higley Road) Improvements Project, was presented by Don Rerick, Project Management Branch Manager.

*Patel:* I realize that you are going to be negotiating but to date, what has been discussed? Is Gilbert going to drive the project or are they just going to provide funding?

*Rerick:* Mr. Chairman, Members of the Board, yes, we have. The project proposal that was submitted to our prioritization process would have the Town as the lead agency. Their recommendation at the present time, please recognize that we haven't negotiated the IGA, is a 34/66 cost share split, 34% District, 66% Town of Gilbert. We expect this to be a kinder and gentler feature. Our channel downstream of Higley Road, plans have already be prepared, is very much a kinder and gentler feature. Of course, the work that the Town of Queen Creek is completing now has an extensive amount of landscaping and has left quite a bit of the natural vegetation in place. So the expectation is a kinder and gentler feature, quite reasonably cost shared with the Town as the lead agency.

*Patel:* Is this development driven or is it part of a roadway project?

*Rerick:* I think it is the opportunity that the Town has recognized. It is partly development driven from the standpoint that the Town is able to leverage this process. I think it will assist them in their cost share responsibility. It gives the District an opportunity to have a cost share project at a rate much better than the standard 50/50 cost share.

*Cooper:* Why would we not have our standard 50/50 cost share?

*Rerick:* Mr. Chairman, Members of the Board, the cost share proposed in the prioritization process is actually a better cost share, 34% District, 66% Town. The District recognizes the opportunity to complete these improvements at less than our typical 50% cost share.

*Cooper:* I guess I have a question for Lonnie then, (Lonnie Frost, Town of Gilbert). Why would you propose a 34/66 cost share as opposed to the typical 50/50 cost share?

*Frost:* Mr. Chairman, Members of the Board, we have an opportunity here to work with the developer who owns the rights-of-way in that area. They can actually do some of the excavation work for us. Taking that into account, it turned out that the cost share was 34/66 and we are very agreeable to that.

*Cooper:* So cash out of pocket for the Town is roughly 50%?

*Frost:* Yes, roughly.

*Cooper:* Thank you.

**ACTION:** It was moved by Mr. Patel and seconded by Mr. Cherrington to approve the item as submitted. The motion carried unanimously.

4) TRES RIOS PROJECT; INTERGOVERNMENTAL AGREEMENT FCD2004A017

Don Rerick, Project Management Branch Manager, presented IGA FCD2004A017, which identifies the District's responsibilities for, but not limited to, cost sharing, rights-of-way, and operation and maintenance for the Tres Rios Project.

*Patel:* I have a question. What is the rest of the project? One hundred million dollars is a pretty hefty price tag. So what is coming?

*Rerick:* The flood control components have been identified. The \$16.5 million for the flood control features is the latest figure. The extensive restoration, construction of marshes and wetlands, regulating wetlands is probably the most costly element. Regulation of the wetlands will take water from the treatment plant, which is currently discharged on an irregular frequency into the river, and direct those flows into a large basin. Then under a managed regular basis using a pump station and extensive piping discharge those flows into the wetlands and to the river features. So there is considerable cost associated with the regulation of the wetlands. This is approximately 150 acres. . The Gila River Indian Community (GRIC) and the Corps have been talking extensively about modifying the concept along the south side of the river within the GRIC lands. We are not directly involved in the pipeline and other associated work because it is not a cost that we are sharing in or a role that we playing at this time.

*Patel:* Would we maintain it?

*Rerick:* No sir, we will not maintain those features of the project.

**ACTION:** It was moved by Mr. Patel and seconded by Mr. Acuna to approve the item as submitted. The motion carried unanimously.

5) INTERGOVERNMENTAL AGREEMENT (IGA) FOR DAM SAFETY PROGRAM PLANNING AND THE STRUCTURES ASSESSMENT OF THREE FLOOD CONTROL DAMS, IGA FCD2004A018

Bret Howey, Dam Safety Engineer, presented this IGA between the District and the City of Phoenix. The IGA outlines the cost sharing of engineering assessments, inventory and

identification of existing structures, Emergency Action Plan development and technical guidance and recommendations in the development of a City of Phoenix Dam Safety Program.

There were no questions or discussion of this topic.

**ACTION:** It was moved by Mr. Patel and seconded by Mr. Cherrington to approve the item as submitted. The motion carried unanimously.

6) EL RIO EDUCATIONAL AND RESEARCH PROJECT IGA

Resolution FCD2005R002 for developing and negotiating Cooperative Agreements and Intergovernmental Agreements, which identify the District's role and responsibilities for cost sharing in the El Rio Educational Research and Development Project, was presented by John Hathaway, Watercourse Planning Manager.

*Cherrington:* Do we know if there are any endangered species in this area?

*Hathaway:* We have conducted a bird survey as part of the El Rio project specifically for this site. It is my understanding that if there are any endangered species they are addressed as part of the project plan. This area is not very densely populated with salt cedar. There are some strands of it but it is rather disconnected from some of the more densely grown over areas to the west.

*Cooper:* Is it necessary that you would have to have an IGA with other County departments.

*Phillips:* Mr. Chairman, that's correct. Although we have an IGA with the County for doing different courses of business activities, this one is certainly not a course of business activity, so we need to enter into an agreement that specifically addresses the issue with County Parks and Transportation Departments.

*Cooper:* Strange but true.

*Cherrington:* It seems that there are a lot of agencies around the country right now that are involved with salt cedar eradication activities. Is the Bureau of Reclamation the only one we have looked at for partnering?

*Hathaway:* There is a representative here from the Bureau of Reclamation. Perhaps he could address that.

*Doyle:* Mr. Chairman, Members of the Board, my name is William Doyle and I am with the Bureau of Reclamation. Early on, my understanding is that the District did approach the Corps of Engineers for this project. We met with the Corps of Engineers and their response was that they don't have the kind financial resources for this type of work that the Bureau of Reclamation does. We have a planning program that is set up specifically for these types of projects. We have about \$1 million a year, so the El Rio Project will get only a small fraction of that. I don't know if that helps answer your question.

*Cherrington* I think so. Thank you.

*Phillips:* Mr. Chairman, Members of the Board, another aspect to that is that we met with Carol Erwin at the Bureau a couple of weeks ago and her feeling was that there are not enough people looking at this in detail. That we are maybe a bit on the forefront and by building the pilot project and looking at it from the research and development standpoint, that maybe we will bring other people to the table who have similar interest in looking at how to manage salt cedar from a river flow conveyance standpoint. From my standpoint in particular, I like what this is doing. It is giving us some visibility of a problem that we are all going to have to deal with sooner or later as the salt cedar chokes the conveyance capacity of some of the river systems. That is why I think the District is particularly interested in getting this project going to see what the opportunities are available. If other people come to the table with more knowledge and more money, this is a good investment.

ACTION: It was moved by Mr. Cherrington and seconded by Mr. Acuna to approve the item as submitted. The motion carried unanimously.

7) COMMENTS FROM THE CHIEF ENGINEER AND GENERAL MANAGER.

*Phillips:* Mr. Chairman, Members of the Board, the only carry over from last month is that we did have a discussion about getting together with some of you regarding the timing, scheduling, and competition issue for our technical contracts. Russ Miracle is working with BJ to get this scheduled.

My only other comment is that so far we have withstood the storms fairly well. We haven't had any major flooding or any impact to people as a result of the structures we have put in over the last 45 years. Probably the biggest issues have been on the Hassayumpa River. You probably saw all the coverage on the news media, particularly regarding one house that went into the river. In fact, although the gentleman's house was in the floodway, he never got flooded. It was when the erosion took place and his house fell into the water that he actually was impacted by the water. The concept of being able to regulate the erosion setbacks is near and dear to our heart right now and we are seeing if there are things we can do to help us regulate in that arena.

*Cooper:* I know we continued an item last month that the sand and gravel organizations were interested in. What is the status of that?

*Phillips:* That would be the Agua Fria Watercourse Master Plan adoption, we are still working with all the stakeholders and I think we expect to come back before the Board in April after we have made sure that we have received and addressed all the comments.

*Patel:* I have a question. With the level of flows that we have had in the various washes and channels, erosion is going to be a big item now. From a cost program stand point; I don't recall ever seeing agency funds for maintenance of this type. How is this handled?

*Phillips:* Mr. Chairman, Mr. Patel, after the event we will assess what type of work we need to do and budget accordingly. If we find that the cost of the work

exceeds what we have available in our O&M budget, then we will look to budget adjustments to bring money out of either the capital program or the fund balance to cover those expenses. However, we do not have ownership or jurisdiction over much of that area to go in and make improvements unless it is covered under a project. To date, the biggest erosions issues that I have heard of are along the Hassayumpa River and within the Town of Wickenburg. We are in the process of seeing if we can do some mitigation in the area. In fact, there should be a letter going out from Supervisor Wilson's office to the Town of Wickenburg regarding that. Fundamentally, we will look for those who have had the issues to come back into our CIP program ask for assistance and then we will work to see if we can come up with a project to mitigate their erosion concerns.

*Patel:* But you do have funding to do an assessment of all the channels?

*Phillips:* For the channels where we know there is currently an issue, we do. If we find that there are others or if we run out of money, we will look to do a budget adjustment to make the dollars available.

*Cherrington:* Tim, the Alma School Road Bridge grade control structure, what involvement does the Flood Control District have in that and what is the plan for an ultimate repair?

*Phillips:* I'll answer the second question first. I am not sure what the ultimate plan for the fix is. Mike Ellegood at MCDOT would probably have the best answer for that. I believe that intent is to reestablish the abutment on the downstream south side, but I don't recall the work schedule. As far as the District's involvement, other than ensuring that the fixes or process to isolate that portion of the bridge meets the conveyance concerns in the river, so that if we had a 100-year event those interim fixes aren't forcing upon someone else. We have taken a look at that and Ed Raleigh's staff assures me that there is some conservative capacity within that area. Even with the three bays that are currently closed off, there is sufficient capacity in the river to convey future flows. We will continue to monitor the situation from the standpoint of river conveyance and floodplain management. The actual fix to the structure will come from the Department of Transportation.

*Cherrington:* Mr. Chairman, I might just mention by way of information, Roosevelt Dam is at about 79% full and going up. The space that the Flood Control District helped pay for, the flood control space, there is a very good probability that we will be using that before the season is out.

*Cooper:* What are we going to do about the Southwestern Willow Flycatcher habitat? area? Are they safe?

*Cherrington:* They are under water right now.

*Cooper:* Are you in any violation of court orders?

*Cherrington:* No, we received a permit in February 2003, so we can fill Roosevelt.

*Cooper:* What about Horseshoe?

*Cherrington:* Horseshoe is a different story.

*Cooper:* Mr. Phillips, do you have anything to add?

*Phillips:* Mr. Chairman, I do not.

8) SUMMARY OF RECENT ACTIONS BY THE BOARD OF DIRECTORS

9) OTHER BUSINESS AND COMMENTS FROM THE PUBLIC

*The meeting was adjourned at 2:58pm*